Question on notice no. 200

Portfolio question number: AE24-218

2023-24 Additional estimates

Legal and Constitutional Affairs Committee, Attorney-General's Portfolio

Senator David Shoebridge: asked the Federal Court of Australia on 26 February 2024—

Does the Federal Court of Australia have a family law jurisdiction, and has it, at any time since its establishment, had a family law jurisdiction?

Answer —

Please see the attached answer.

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

ATTORNEY-GENERAL'S PORTFOLIO

ADDITIONAL ESTIMATES 2023-2024

PA-Federal Court of Australia

AE24-218 - Family Law Jurisdiction

Senator David Shoebridge asked the following question on 26 February 2024:

Does the Federal Court of Australia have a family law jurisdiction, and has it, at any time since its establishment, had a family law jurisdiction?

The response to the senator's question is as follows:

Pursuant to the *Family Law Act 1975* (Cth) and the *Federal Circuit and Family Court Act 2021* (Cth), family law jurisdiction is conferred on the Federal Circuit and Family Court of Australia (Division 1) and the Federal Circuit and Family Court of Australia (Division 2). Family law jurisdiction is also conferred on a number of State and Territory Courts. The Federal Court of Australia does not have jurisdiction in family law, but can exercise jurisdiction in matters closely related to family law, including in regard to decisions of the Administrative Appeals Tribunal relating to the registration of a binding child support agreement under the *Child Support (Assessment) Act 1989* (Cth), and child support liabilities under the *Child Support (Registration and Collection) Act 1988* (Cth).

As to whether the Federal Court has ever had direct family law jurisdiction, further time would be required to provide a comprehensive answer.